

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

AAMCO TRANSMISSIONS, INC.,	)	Case No. 2010-cv-2717
Plaintiff,	)	Judge James G. Carr
v.	)	<u>PLAINTIFF’S MOTION FOR</u>
LYDIA ERTLE, et al.,	)	<u>DEFAULT AS TO DEFENDANTS</u>
Defendants.	)	<u>DEBORAH HUNKE, FRED</u>
	)	<u>HUNKE, HUNKE RENOVATION,</u>
	)	<u>INC. AND LETGO PROPERTIES,</u>
	)	<u>LTD.</u>
	)	Keith Wilkowski (0013044)
	)	Roman Arce (0059887)
	)	MARSHALL & MELHORN, LLC
	)	Four SeaGate, Eighth Floor
	)	Toledo, Ohio 43604
	)	(419) 249-7100
	)	(419) 249-7151 (Fax)
	)	wilkowski@marshall-melhorn.com
	)	arce@marshall-melhorn.com
	)	Counsel for Plaintiff

Pursuant to Federal Rule of Civil Procedure 55(b)(2), plaintiff, AAMCO Transmissions, Inc., hereby moves the court for an entry of judgment in plaintiff’s favor against defendants, Deborah Hunke, Fred Hunke, Hunke Renovation, Inc., and Letgo Properties, Ltd. for their failure to move, plead, or otherwise defend against plaintiff’s First Amended Complaint (see Declaration of Keith Wilkowski). Plaintiff also requests that the court set a hearing as to the amount of the judgment, interest, costs, attorney fees and other relief and remedies as the court finds reasonable and appropriate. A memorandum in support is attached hereto.

Respectfully submitted,

/s/ Keith Wilkowski

Keith Wilkowski (0013044)

Roman Arce (0059887)

MARSHALL & MELHORN, LLC

Four SeaGate, Eighth Floor

Toledo, Ohio 43604

419-249-7100 Phone

419-249-7151 Fax

wilkowski@marshall-melhorn.com

arce@marshall-melhorn.com

Attorneys for Plaintiff

AAMCO Transmissions, Inc.

MEMORANDUM IN SUPPORT

Defendants Deborah Hunke, Fred Hunke, Hunke Renovation, Inc. and Letgo Properties, Ltd. were served with a copy of Plaintiff's First Amended Complaint on the following dates:

- | | |
|---------------------------|------------------|
| 1. Deborah Hunke | January 6, 2011 |
| 2. Fred Hunke | January 6, 2011 |
| 3. Hunke Renovation, Inc. | January 10, 2011 |
| 4. Letgo Properties, Ltd. | January 11, 2011 |

These defendants have failed to move, plead, or otherwise defend against plaintiff's First Amended Complaint. Therefore, pursuant to Federal Rule of Civil Procedure 55(b)(2), plaintiff moves the court for an entry of judgment against defendants Deborah Hunke, Fred Hunke, Hunke Renovation, Inc., and Letgo Properties, Ltd. in an amount in excess of \$75,000, plus interest, costs, attorney fees, and any other relief and remedies that the court finds reasonable and appropriate. Additionally, plaintiff requests a hearing to determine the amount of damages, interest, costs, attorney fees, and other equitable relief and remedies as the court may find reasonable and appropriate.

WHEREFORE, plaintiff prays for judgment against defendants Deborah Hunke, Fred Hunke, Hunke Renovation, Inc. and Letgo Properties, Ltd. in excess of \$75,000.00, plus interest,

costs, attorney fees, and any other relief and remedies that this court finds to be reasonable and appropriate. Plaintiff also requests that the court set a hearing as to the amount of the above-mentioned award at the earliest possible opportunity.

Respectfully submitted,

/s/ Keith Wilkowski

Keith Wilkowski (0013044)
Roman Arce (0059887)
MARSHALL & MELHORN, LLC
Four SeaGate, Eighth Floor
Toledo, Ohio 43604
419-249-7100 Phone
419-249-7151 Fax
wilkowski@marshall-melhorn.com
arce@marshall-melhorn.com
Attorneys for Plaintiff
AAMCO Transmissions, Inc.

CERTIFICATE OF SERVICE

This certifies that on March 29, 2011, the forgoing was filed with the Court electronically. Notice of this filing will be sent to the parties by operation of the United States District Court's electronic filing system. Parties may access this filing through the Court's system. In addition, a copy of the foregoing was served this 29th day of March, 2011, via First Class U.S. mail to the following Defendants:

Hunke Renovation, Inc.
c/o National Registered Agents, Inc.
160555 Space Center, Suite 235
Houston, TX 77062

Fred Hunke
2212 Austin Drive
Mesquite, TX 75181

Deborah Hunke
2212 Austin Drive
Mesquite, TX 75181

/s/Keith Wilkowski
Keith Wilkowski
Counsel for Plaintiff